

to the principle that religion must be freely exercised, neither advanced nor inhibited by government. Our mission stems from the historic commitment of Baptists to protect religious freedom for all.

We oppose this legislation that seeks to limit access to the federal courts for individuals seeking the enforcement of the Establishment Clause. To prohibit the recovery of attorney's fees and limit the remedy available to injunctive and declaratory relief would essentially shut the courthouse door to many who seek to defend our first freedom. Enforcement of the First Amendment is essential for the defense of religious freedom. The protections of the First Amendment, however, are not self-enforcing. If someone is forced to sue the government to enjoy their constitutional rights, justice and fundamental fairness dictate they be able to recover the legal fees expended to do so.

Despite the claims of the bill's sponsor, this legislation does not promote the expression of religion. Instead, the bill undermines fundamental constitutional protections that have provided for a great deal of religious expression in the public square. The Establishment Clause exists to protect the freedom of conscience and to guard against government promotion of religion, leaving religion free to flourish on its own merits. This point was well-stated by former Supreme Court Justice Sandra Day O'Connor in her concurring opinion in *McCreary County, Kentucky v. ACLU* (2005). She noted, "Voluntary religious belief and expression may be threatened when government takes the mantle of religion upon itself as when government directly interferes with private religious practices."

Governmental entities should be encouraged to uphold constitutional values, not invited to ignore them. Yet, passage of H.R. 2679 would encourage elected officials to violate the Establishment Clause whenever they find it politically advantageous to do so. By limiting the remedies for a successful plaintiff, this measure would remove the threat that exists to ensure compliance with the Establishment Clause.

We urge you to oppose H.R. 2679. The bill is an assault on an essential constitutional freedom. If passed, it would greatly harm religious freedom and set a dangerous precedent for other constitutional protections.

Sincerely,

K HOLLYN HOLLMAN,
General Counsel.

Mr. Speaker, before I yield to our next speaker, the gentleman from Georgia in his opening remarks, you know, talked about our veterans in the context of rationalizing a vote in favor of this bill. So let me just talk for a second about our veterans.

One of the things that is particularly frustrating to so many of us on this side is that here we are, about to adjourn on Friday or Saturday, and we have not done what we promised to do for our veterans.

The Democratic leader, NANCY PELOSI, and almost every Democrat has sent a letter to President Bush complaining about his administration's record of underfunding the VA by at least \$9 billion over the last 6 years. And the budgets that he has submitted this year reduce veterans funding by \$10 billion over the next 5 years.

If we want to honor our veterans, then we should be debating and we should be enacting legislation to fund the VA, to give them the health care benefits and the protections that they

are entitled to, to making sure that we have a military construction bill that is adequately funded so the families of our veterans and our soldiers do not have to live in substandard housing.

□ 1100

It is frustrating. I mean, it takes my breath away that you waste the time of the Members of this House on something like this and you turn your back on the fact that we are underfunding programs to benefit our veterans.

You want to talk about veterans. Let us talk about veterans. And, Mr. Speaker, I submit for the RECORD at this point the letter that our Democratic leader and every Democrat has signed to the President complaining about his horrendous record in supporting our veterans.

200 HOUSE DEMOCRATS URGE PRESIDENT BUSH TO PROVIDE NECESSARY FUNDING FOR VETERANS' HEALTH CARE

WASHINGTON, DC.—House Democratic Leader NANCY PELOSI and 199 House Democrats sent the following letter to President Bush today urging him to provide the necessary funding for veterans' health care in his FY2008 budget.

Below is the text of the letter:

SEPTEMBER 25, 2006.

Hon. GEORGE W. BUSH, The President,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: As your administration continues to formulate its FY 2008 budget submission, we write to request that you provide the necessary funding for the Department of Veterans' Affairs (VA) health care system and related benefits programs. Unfortunately, we believe it is necessary to express our serious concern in this matter due to your administration's record of underfunding the VA by at least \$9 billion over the last 6 years. We are particularly concerned about veterans funding next year and in the future as your budget submission this year reduced veterans' funding by \$10 billion over the next 5 years.

Providing for our military veterans and their families is a continuing cost of war and should be an important component of our national defense policy. Indeed, President George Washington recognized this point, saying, "[t]he willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive the Veterans of earlier wars were treated and appreciated by their nation." Mr. President, the time is right for your administration to change course and fully fund the VA, cease efforts to shift the costs of health care onto the backs of veterans, and finally recognize and implement the concept of 'shared sacrifice' with respect to the federal budget.

The wars in Iraq and Afghanistan along with the aging of our World War II, Korea and Vietnam War veterans have increased demand for VA services. However, year after year you request inadequate funding for veterans' health care. Each year your budget submission includes proposals to increase veterans' co-payments and fees, essentially taxing certain veterans for their health care. Each year your VA budget fails to request what is needed and relies on accounting gimmicks such as "management efficiencies" and inaccurate health care projections. Such efforts are transparent as the true consequences of your administration's budget flaws are being realized by current and future veterans. Indeed, recently VA officials

themselves acknowledged that greater funding was needed to care for our servicemembers returning from Iraq and Afghanistan suffering from mental health disorders and traumatic brain injuries.

Mr. President, during your tenure, health care waiting lines have increased, appointments and medical procedures delayed, more than 250,000 veterans have been turned away from entering the VA health care system, and disability and education claims backlogs have grown to unreasonable rates. Moreover, Congress has been forced to add billions of dollars in supplemental VA funding due to embarrassing funding shortfalls.

What we request of you and your administration is simple—provide funding in your FY 2008 budget submission to ensure that our servicemembers returning from Iraq and Afghanistan and the heroes from our previous conflicts receive the care and benefits they have earned and deserve.

Without question, Mr. President, the federal budget is a reflection of national policies and ultimately a reflection of our moral priorities. Please join us in working to provide the necessary resources in the fiscal year 2008 budget to fully fund the VA and to take care of our veterans and their families.

Sincerely,

NANCY PELOSI,
House Democratic
Leader.

LANE EVANS,
Ranking Member, Veterans Affairs Committee.

198 HOUSE DEMOCRATS.

Mr. Speaker, I yield 6 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, the gentleman from Texas has been an eloquent, true conservative on the question of the entanglement of religion and government, because he expresses what every religious leader ought to share, the distrust of government if it seeks to intervene in religious matters.

Religion needs no protection from government in this country. Yes, there are times when you may need protection if there are people trying to interfere physically with your right to worship, but in a free society like ours, religion flourishes independently. It does not need the government's stamp of approval. What theology says is that for religion to be freely practiced, the government has to say it is okay, the government has to put forward a symbol.

So my friend from Texas has expressed a true conservative vision, but he did not fully describe how flawed this bill is. I guess he could not fully understand the reasoning. He said that, even if you win to decide attorney's fees. No, only if you win. Let me read from the bill.

"Notwithstanding any other provision of law, a court shall not award reasonable fees and expenses of attorneys to the prevailing party on a claim of injury consisting of the violation of a prohibition against the establishment of religion brought against the United States."

Now, this is not the most actually honest piece of legislation I have ever seen. They describe some of what they are talking about: a veterans memorial, not a veterans cemetery. By the